

**REMARKS**

Receipt of the Office Action of June 9, 2005 is gratefully acknowledged.

Claims 7 and 8 are withdrawn from consideration as non-elected, and in order to expedite prosecution have now been cancelled.

Claims 5 and 6 have been examined and rejected as follows:

1) Claim 5 as anticipated by Desrondiers under 35 U.S.C. 102(b); 2) Claim 5 as anticipated by Smith et al. under 35 U.S.C. 102(b); 3) Claim 5 as anticipated by Hiroshi et al. under 35 U.S.C. 102(b); 4) Claim 5 as anticipated by McMillan under 35 U.S.C. 102(b); 5) Claim 5 as anticipated by Borgford under 35 U.S.C. 102(b); 6) Claim 6 as unpatentable over Smith et al. under 35 U.S.C. 103(a); 7) Claim 6 as unpatentable over McMillan under 35 U.S.C. 103(a); and 8) Claim 6 as unpatentable over Hiroshi under 35 U.S.C. 103(a).

1) - 5)

Claim 5 has been amended to recite the thickness feature of claim 6, thereby rendering these rejections moot. In addition, claim 5 has been amended to recite that the concave and convex portions are formed on both faces so that they are located opposite to each other as well as adjacent to each other. that is when viewed relative to the two faces the concave and convex portions are seen as **opposite** to each other, but when viewed relative to the same face the concave and convex portions are seen as **adjacent** to each other. This can be seen when viewing Figs 3 and 4 in conjunction with Fig. 6.

None of the references applied under 35 USC 102 against claim 5 disclose this arrangement of the concave and convex portions. In fact these references really shown an arrangement whereby the convex portions extend from a single surface and not two surfaces. For this reason alone, 35 USC 102 does not apply. See, *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990) (all limitations rule).

6) - 8)

Claim 6 has been amended to delete the thickness feature (which is now in claim 5), while retaining the longitudinal length and opening ration features. In addition, the lateral length of the openings feature has been recited, so that claim 6 conforms to the lateral and longitudinal lengths as noted in the specification (see page 6, lines 5 - 10 of the specification).

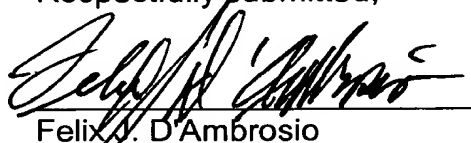
It is respectfully submitted that Smith et al and McMillan do not teach the body now defined in claims 5 + 6, with the relationship of the concave and convex portions recited in claim 5, nor the dimensions recited in claim 6. Again, it is worth noting that these references do not teach employing the concave and convex portions associated with each face of the plate member. Using two plate members is not the same as using a single plate member. See, *In re Gordon*, 221 USPQ 1125 (Fed. Cir. 1984).

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 5 and 6 found allowable.

Applicants have made a bona fide attempt with this response to define the invention disclosed in this application in claims 5 and 6, and if any issues remain outstanding, the examiner is urged to telephone the undersigned to discuss same in either a telephone or personal interview.

Date: January 17, 2006

Respectfully submitted,

  
Felix J. D'Ambrosio  
Reg. No. 25,721

BACON & THOMAS, PLLC  
625 Slaters Lane, 4<sup>th</sup> Floor  
Alexandria, VA 22314 - 1176  
(703) 683-0500

S:\Producer\fld\CLIENTS\Osaka Internationa, Suzue Patent\YAMA3020\Resubmission on Jan 17 2006.wpd